

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

JOHN ANTHONY GENTRY,)
)
Plaintiff,)
) **No. 3:17-cv-00020**
v.)
) **Judge Trauger/Magistrate Judge Holmes**
STATE OF TENNESSEE, ET AL.,)
)
Defendants.)

**DEFENDANT STATE OF TENNESSEE'S MOTION
FOR EXTENSION OF TIME TO RESPOND TO AMENDED COMPLAINT**

Defendant the State of Tennessee moves for additional time to file an answer or motion under Fed. R. Civ. P. 12(b) to the Amended Complaint (Docket Entry No. 32).¹ The Amended Complaint is 72 pages and contains new allegations against the State of Tennessee. A response is due March 30, 2017, but Plaintiff has filed a "Notice of Intent to Amend," in which he states that he will file a Second Amended Complaint on or before March 31, 2017 (Docket Entry No. 34).² The State requests that its response be due: (1) on April 14, 2017; or (2) if Plaintiff seeks a second amendment, 14 days from service of the Court's determination whether to grant it.

¹ The State of Tennessee does not waive any available defenses, including but not limited to Eleventh Amendment immunity, sovereign immunity, statute of limitations, lack of standing, and any absolute or qualified immunities afforded to its officials.

²The Court granted Plaintiff an extension until March 31, 2017, to file a first amended complaint (Docket Entry No. 31) but has not granted leave to file a *second* amended complaint.

Respectfully Submitted,

HERBERT H. SLATERY III
Attorney General and Reporter

s/ Stephanie A. Bergmeyer
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was filed electronically, and served by first-class mail, postage prepaid on this 24th day of March, 2017, to:

John Anthony Gentry
208 Navajo Court
Goodlettsville, TN 37072

s/ Stephanie A. Bergmeyer
Stephanie A. Bergmeyer